WPSS 1625 of 2007

Hon'ble M.M. Ghildiyal, J.

Heard Sri D.S. Patni, learned counsel for the petitioner, Sri N.P. Shah, learned Standing Counsel for State of Uttarakhand on behalf of respondent nos. 1 and 2 Sri U.K. Uniyal, learned Senior Counsel assisted by Sri Sobhit Saharia for respondent no. 3.

The petitioner has filed this petition for a direction in the nature of mandamus directing the respondents to give the appointment to the petitioner as per his educational qualification under Dying-in-harness Rules.

The stand of the petitioner is that the father of the petitioner was working with T.H.D.C. at the time of his death which occurred on 23.11.1993. Learned counsel for the petitioner has submitted that petitioner has already moved an application before the Manager Personnel, T.H.D.C., Bhagirathi Puram, New Tehri in the month of October, 1998 for providing him appointment.

During the course of argument, the petitioner has submitted that he may be directed to make a fresh representation before respondent no. 3, i.e., Chairman and Managing Director, T.H.D.C., Bhagirathi Puram, New Tehri.

The petitioner may prefer representation within a period of three weeks and it is expected from the authority that they will take decision on the representation of the petitioner within a reasonable period in accordance with law by a speaking order.

With this direction the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M.G., J.)

06.11.2007

VKS